IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3637 OF 2005

IN

SUIT NO.3197 OF 2005

Chandrakant L. Pujari ...Plaintiff.

vs.

Sheela Ashok Karnik & others. ...Defendants.

Mr.Uday Bobade i/b. Denzil D'Mello, for plaintiff.

Ms.S.Srikrishna i/b. Gordhandas & Fozdar, for defendant nos.3 to 5.

Mr.Raju Desai with Ms.Bharati Mahant, for Defendant nos.13 and 14.

CORAM: D.K.DESHMUKH,J.

DATED: 26th June,2007.

P.C.:-

By consent of plaintiff and defendant nos.13 and 14 the notice of motion is disposed of

in the following terms:-

1. The defendant no.13 and 14 shall not part with possession or encumber or sell the said land without giving the plaintiff four weeks notice of their intention to do so. This shall however not prevent defendant nos.13 and 14 from entering into the agreement with Indo Burma Petrolium Co.Ltd. or any other petroleum company for the purpose of running the petrol pump from the said land. Mr.Desai, the learned Counsel appearing for defendant nos.13 and 14 states that the defendant nos. 13 and 14 do not intend to carry on business of petroleum pump from the said land in the name of defendant no.15.

2. In case the defendant nos. 13 and 14 abandon the idea of carrying on business of petrol pump on the land and they want to start some other business on the land they will be at liberty to take out notice of motion for

appropriate relief.

Notice of motion is disposed of.